UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,151	02/27/2002	Mayo Toyota	04329.2744	6611

22852　　7590　　02/08/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413	**EXAMINER** JOO, JOSHUA

ART UNIT	PAPER NUMBER
2154	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/083,151	TOYOTA ET AL.
	Examiner	Art Unit
	Joshua Joo	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *28 December 2006*.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-4,6-12 and 14-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-4, 6-12, 14-20* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *27 February 2002* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Detailed Action

Response to Amendment filed 12/28/2006

1.   Claims 1-4, 6-12, 14-20 are presented for examination.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR

1.17(e), was filed in this application after final rejection. Since this application is eligible for continued

examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the

finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's

submission filed on 12/28/2006 has been entered.

Response to Arguments

3.   Applicant's arguments filed 12/28/2006 have been fully considered but they are not persuasive.

Applicant argued that:

4.   (1) Neither Knight or Leeds teach of setting a subscription type... in accordance with an

instruction from the user, and the combination of both subscription types including delivery via mail and

browsing via a browser.

5.   In response, Leeds teaches,

   i)   Paragraph 0037, "the agent is initiating display of chat forums in addition to those being
           displayed or diverting messages between a currently active chat forum and other chat
           forum based on the content of messages sent through the active chat forum or the entry of
           clients with known preferences or user settings."

   ii)   Paragraph 0048, "the agent 360 would open (step 508) the "Cat Talk" chat forum to be
           displayed in a chat dialog box on the monitor 48 as explicitly requested by the user
           310..."

   iii)   Paragraph 0040, "the client computer 10 runs a World Wide Web browser 306..."

6.   From above sections (i) to (iii), Leeds teaches subscription, specifically by displaying messages

via browser, in accordance with the user.

7.   Leeds also teaches,

   iv)   Paragraph 0051, "the agent 360 could notify the user 310 of that posting. The
            notification could take the <u>form of a small message in the navigator bar 410</u>...
            Alternatively, the agent 360 could open <u>a CatTalk dialog box to be displayed</u>... Yet,
            another alternative would <u>deliver messages posted to a forum of which the user 310 has
            subscribed via email.</u>"

8.   Section (iv) teaches of multiple methods of subscribing to the forum, wherein the subscription

includes browsing (message in the navigator bar and dialog box) and delivery via email.   While Leeds

teaches of multiple types of subscription including subscription via email, Leeds does not explicitly teach

the user instructing subscription by email. However, it would have been obvious to one of ordinary skill

in the art that the user may provide the instruction since the user's email address must be provided to

receive email messages.

Claim Rejections - 35 USC § 101

9.   35 U.S.C. 101 reads as follows:

   Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
   any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
   requirements of this title.

10.   Claims 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-

statutory subject matter.

        The claimed invention of a program does not meet one of the four categories of invention and is

not statutory. Specifically, a program is not a series of steps or acts and thus is not a process. A program

is not a physical article or object and as such is not a machine or manufacture. A program is not a

combination of substances and therefore not a composition of matter.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

12.   Claims 1-4, 9-12, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Knight et al, US Patent #6,571, 234 (Knight hereinafter), in view of Leeds, US Publication #2005/012504

(Leeds hereinafter).

13.   As per claims 1, 9, and 17, Knight teaches substantially the invention as claimed including a

knowledge method and system which can be connected to a plurality of clients via a network, and which

supports knowledge accumulation by categorizing and accumulating messages posted from each client

terminal to a virtual community (Col 8, lines 22-24. Online community of users.), Knight's teachings

comprising:

        access control means for making user authentication of a client terminal as an access request

source so as to permit the client terminal to post a message (Col 8, lines 53-55; Col 9, lines 4-5.

Subscribers. Col 12, lines 39-42. Authorized members of the community. Col 11, lines 2-6. Board

system permits individuals to share certain information, e.g. company information, pricing, motivations.);

and

        community processing means for managing a virtual community in which a plurality of client

terminals can participate (Col 8, lines 22-24. Community of users.), and for categorizing and

accumulating messages into a plurality of topics (Col 8, lines 22-40; Col 10, lines 1-23. Collection of

messages. Categorized. Col 12, lines 1-23; Col 14, line 32-42. Classified messages.), the messages

being posted to the virtual community from the client terminals (Col 8, lines 52-55. Subscriber-user

postings.), the client terminals being granted access permission for specified topics by said access control means, said community processing means including (Col 12, lines 40-42. View by authorized members; subscribers to the online provider.).

14.   Although it is implicit in Knight's teachings that the user is subscribing to the community by browsing since the user is accessing the categorized and accumulated messages by an Internet browser, Knight does not specifically teach of a message subscription type setting means for setting a subscription type indicating the way a user subscribes to the messages in accordance with an instruction from the user, wherein the subscription type includes at least delivery via mail and browsing via a browser.

Leeds teaches of a user subscribing to forums, wherein a type of subscription comprises browsing and delivery via email (Paragraph 0051. Agent displays message on dialog box or navigation bar. Receive messages via email.). The user may also request to receive messages by a dialog box or navigation bar (browsing) (Paragraph 0037. Display forums/messages with user settings. Paragraph 0048. Display dialog box as explicitly requested.).

15.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Knight and Leeds for the user to subscribe to forums, wherein the type of subscription comprises browsing and delivery via email, and wherein the user may request to receive messages by a dialog box or navigation (browsing). The teachings of Leeds would improve the system of Knight by allowing subscribers to receive messages in alternative methods that are convenient for the user. While Leeds teaches of multiple types of subscription including subscription via email, Leeds does not explicitly teach the user instructing subscription by email. However, it would have been obvious to one of ordinary skill in the art that the user may provide the instruction since the user's email address must be provided for the user to receive email messages.

16.   As per claims 2, 10, and 18, Knight teaches substantially the invention as claimed including a

knowledge method and system which can be connected to a plurality of clients via a network, and which

supports knowledge accumulation by categorizing and accumulating messages posted from each client

terminal to a virtual community (Col 8, lines 22-24. Online community of users.), Knight's teachings

comprising:

access control means for making user authentication of a client terminal as an access request

source so as to permit the client terminal to post a message (Col 8, lines 53-55; Col 9, lines 4-5.

Subscribers. Col 12, lines 39-42. Authorized members of the community.); and

community processing means for managing a virtual community in which a plurality of client

terminals can participate (Col 8, lines 22-24. Community of users.), and for categorizing and

accumulating messages into a plurality of topics (Col 8, lines 22-40; Col 10, lines 1-23. Collection of

messages. Categorized. Col 12, lines 1-23; Col 14, line 32-42. Classified messages.), the message being

posted to the virtual community from the client terminals (Col 8, lines 52-55. Subscriber-user postings.),

which are granted access permission for specified topics by said access control means, for respective

topics (Col 12, lines 40-42. View by authorized members; subscribers to the online provider. Col 11,

lines 2-6. Board system permits individuals to share certain information, e.g. company information,

pricing, motivations.).

17.   Although it is implicit in Knight's teachings that the user is subscribing to the community by

browsing since the user is accessing the categorized and accumulated messages by an Internet browser,

Knight does not specifically teach of a message subscription type setting means for setting a subscription

type indicating the way a user subscribes to the messages in accordance with an instruction from the user,

wherein the subscription type includes at least delivery via mail and browsing via a browser.

Leeds teaches of a user subscribing to forums, wherein a type of subscription comprises browsing

and delivery via email (Paragraph 0051. Agent displays message on dialog box or navigation bar.

Receive messages via email.). The user may also request to receive messages by a dialog box or navigation bar (browsing) (Paragraph 0037. Display forums/messages with user settings. Paragraph 0048. Display dialog box as explicitly requested.).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Knight and Leeds for the user to subscribe to forums, wherein the type of subscription comprises browsing and delivery via email, and wherein the user may request to receive messages by a dialog box or navigation (browsing). The teachings of Leeds would improve the system of Knight by allowing subscribers to receive messages in alternative methods that are convenient for the user. While Leeds teaches of multiple types of subscription including subscription via email, Leeds does not explicitly teach the user instructing subscription by email. However, it would have been obvious to one of ordinary skill in the art that the user may provide the instruction since the user's email address must be provided for the user to receive email messages.

19. As per claims 3 and 11, Knight teaches the invention, wherein the administrator is determined for each individual virtual community (Col 8, lines 52-55. Service provider sets forth rules and instructions for the online community.).

20. As per claims 4 and 12, Knight teaches the invention, wherein said message subscription type setting means sets a subscription type of each user for each individual virtual community (Col 13, lines 15-25; Col 15, lines1-8, 20-24; Col 16, lines 39-51. User chooses which categorized messages the user wants to receive.).

21. Claims 6-8, 14-16, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knight and Leeds, in view of Raghunandan, US Patent #6,816,885 (Raghunandan hereinafter).

22.   As per claims 6, 14, and 19, Knight teaches substantially the invention as claimed including the

method and system, which can be connected to a plurality of clients via a network, and which supports

knowledge accumulation by categorizing and accumulating messages posted from each client terminal to

a virtual community (Col 8, lines 22-24. Online community of users.), Knight's teachings comprising:

        access control means for making a user authentication of a client terminal as an access request

source so as to permit the client terminal to post a message (Col 8, lines 53-55; Col 9, lines 4-5.

Subscribers. Col 12, lines 39-42. Authorized members of the community.); and

        community processing means for managing a virtual community in which a plurality of client   .

terminal can participate (Col 8, lines 22-24. Community of users.), and categorizing and accumulating

messages posted, to the virtual community (Col 8, lines 22-40; Col 10, lines 1-23. Collection of

messages. Categorized. Col 12, lines 1-23; Col 14, line 32-42. Classified messages.), from the client

terminals (Col 8, lines 52-55. Subscriber-user postings.), the client terminals being granted access

permission for specified topics by said access control means (Col 12, lines 39-42. Reply only seen by

other authorized members (i.e. subscribers) of the community. Col 11, lines 2-6. Board system permits

individuals to share certain information, e.g. company information, pricing, motivations.), said

community processing means including:

        reply message processing means for determining, when a reply message use to post a reply

message is sent back from the client terminal in response to a message (Col 12, lines 1-4, 40-42. Posting

replies.) used to deliver the categorized and accumulated message to a subscriber, automatically   ´

determining a virtual community to which the reply message should belong by analyzing the message of

the reply message, and categorizing and accumulating the reply message (Col 12, lines 1-28. Posting

logic classifies message by identifying subject matter.).

23.   Knight teaches substantial features of the claimed invention including analyzing a message's

content and context for classification of the reply message. However, Knight does not specifically teach

message subscription type setting means for setting a subscription type indicating the way a user

subscribes to the messages in accordance with an instruction from the user; and the reply message being a

mail message and analyzing a message header for classification.

        Leeds teaches of a user subscribing to forums, wherein a type of subscription comprises browsing

and delivery via email (Paragraph 0051. Agent displays message on dialog box or navigation bar.

Receive messages via email.). The user may also request to receive messages by a dialog box or

navigation bar (browsing) (Paragraph 0037. Display forums/messages with user settings. Paragraph

0048. Display dialog box as explicitly requested.).

24.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Knight and Leeds for the user to subscribe to forums, wherein the type of

subscription comprises browsing and delivery via email, and wherein the user may request to receive

messages by a dialog box or navigation (browsing). The teachings of Leeds would improve the system of

Knight by allowing subscribers to receive messages in alternative methods that are convenient for the

user. While Leeds teaches of multiple types of subscription including subscription via email, Leeds does

not explicitly teach the user instructing subscription by email. However, it would have been obvious to

one of ordinary skill in the art that the user may provide the instruction since the user's email address

must be provided for the user to receive email messages.

25.   Knight and Leeds still do not specifically teach the reply message being a mail message and

analyzing a message header for classification.

        Raghunandan teaches of receiving and classifying emails, wherein the predetermined

classification system analyzes email headers (Col. 4, lines 28-38)

26.   It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Knight, Leeds, and Raghunandan to send email messages and classify the

email messages by analyzing the header. The teachings of Raghunandan would improve the system of

Knight and Leeds by providing subscribers with alternative methods for posting messages, and allowing

the storage of messages based on email classification as taught by Raghunandan.

27.   As per claims 7, 15, and 20, Knight teaches substantially the invention as claimed including the

method and system, which can be connected to a plurality of clients via a network, and which supports

knowledge accumulation by categorizing and accumulating messages posted from each client terminal to

a virtual community (Col 8, lines 22-24. Online community of users.), Knight's teachings comprising:

        access control means for making a user authentication of a client terminal as an access request

source so as to permit the client terminal to post a message (Col 8, lines 53-55; Col 9, lines 4-5.

Subscribers. Col 12, lines 39-42. Authorized members of the community.); and

        community processing means for managing a virtual community in which a plurality of client

terminal can participate (Col 8, lines 22-24. Community of users.), and categorizing and accumulating

messages posted, to the virtual community (Col 8, lines 22-40; Col 10, lines 1-23. Collection of

messages. Categorized. Col 12, lines 1-23; Col 14, line 32-42. Classified messages.), from the client

terminals (Col 8, lines 52-55. Subscriber-user postings.), the client terminals being granted access

permission for specified topics by said access control means (Col 12, lines 39-42. Reply only seen by

other authorized members (i.e. subscribers) of the community. Col 11, lines 2-6. Board system permits

individuals to share certain information, e.g. company information, pricing, motivations.), for respective

topics, said community processing means including:

        reply message processing means for automatically determining, when a reply message use to post

a reply message is sent back from the client terminal in response to a message (Col 12, lines 1-4, 40-42.

Posting replies.) used to deliver the categorized and accumulated message to a subscriber, automatically

determining a virtual community to which the reply message should belong by analyzing a subject of the

reply message, and categorizing and accumulating the reply message (Col 12, lines 1-28. Posting logic

classifies message by identifying the content and text.).

28.　　　Knight teaches substantial features of the claimed invention including analyzing a message's

content and context for classification of the reply message. However, Knight does not specifically teach

message subscription type setting means for setting a subscription type indicating the way a user

subscribes to the categorized and accumulated messages in accordance with an instruction from the user;

and the reply message being a mail message and analyzing a message header for classification.

　　　　Leeds teaches of a user subscribing to forums, wherein a type of subscription comprises browsing

and delivery via email (Paragraph 0051. Agent displays message on dialog box or navigation bar.

Receive messages via email.). The user may also request to receive messages by a dialog box or

navigation bar (browsing) (Paragraph 0037. Display forums/messages with user settings. Paragraph

0048. Display dialog box as explicitly requested.).

29.　　　It would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Knight and Leeds for the user to subscribe to forums, wherein the type of

subscription comprises browsing and delivery via email, and wherein the user may request to receive

messages by a dialog box or navigation (browsing). The teachings of Leeds would improve the system of

Knight by allowing subscribers to receive messages in alternative methods that are convenient for the

user. While Leeds teaches of multiple types of subscription including subscription via email, Leeds does

not explicitly teach the user instructing subscription by email. However, it would have been obvious to

one of ordinary skill in the art that the user may provide the instruction since the user's email address

must be provided for the user to receive email messages.

30.   Knight and Leeds still do not specifically teach the reply message being a mail message and analyzing a message header for classification.

Raghunandan teaches of receiving and classifying emails, wherein the predetermined classification system analyzes email headers (Col. 4, lines 28-38)

31.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Knight, Leeds, and Raghunandan to send email messages and classify the email messages by analyzing the header. The teachings of Raghunandan would improve the system of Knight and Leeds by providing subscribers with alternative methods for posting messages, and allowing the storage of messages based on email classification as taught by Raghunandan.

32.   As per claim 8, Knight teaches the system according to claim 6, wherein said reply message processing means further automatically determines a topic to which the reply message should belong (Col 12, lines 14-123. Determines one or more categories; classifies based on area/class/subclass.).

33.   As per claim 16, Knight teaches a method according to claim 14, wherein the reply message processing means includes the step of further automatically determining a topic to which the reply message should belong (Col 12, lines 2-15. Posting logic determines which categories the reply messages should belong.).

Conclusion

34.   A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

35.   Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be

reached on Monday to Thursday 8AM to 5PM and every other Friday.

36.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this

application or proceeding is assigned is 571-273-8300.

37.   Information regarding the status of an application may be obtained from the Patent Application

Information Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

January 22, 2007
JJ

NATHAN J. FLYNN
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TECHNOLOGY CENTER 2800